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THE ICON AT PANORAMA, LLC

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

THE ICON AT PANORAMA, LLC,

Plaintiff,

v.

SOUTHWEST REGIONAL  
COUNCIL OF CARPENTERS, et al.,

Defendants.

Case No. 2:19-CV-00181-CBM-MRW  
Judge: Hon. Consuelo B. Marshall

**DECLARATION OF SEAN P. GATES  
IN SUPPORT OF OPPOSITION TO  
DEFENDANTS' CONSOLIDATED  
MOTION FOR SUMMARY  
JUDGMENT**

Date: May 21, 2024  
Time: 10:00 am  
Courtroom: 8D

1 I, Sean P. Gates, declare as follows:

2 1. I am a member of the bar of the State of California and a shareholder of the  
3 law firm of Charis Lex P.C., counsel of record for Plaintiff The Icon at Panorama, LLC  
4 in this action. I make this declaration based on my personal knowledge and, if called  
5 upon to do so, could and would testify competently thereto.

6 2. I submit this declaration in support of Plaintiff's Opposition to Defendants'  
7 Consolidated Motion for Summary Judgment.

8 3. Attached hereto as **Exhibit 1** are true and correct excerpts of the deposition  
9 of Daniel Smith, taken on October 3, 2023.

10 4. Attached hereto as **Exhibit 2** is a true and correct excerpt of the deposition  
11 of Milena Zasadzien, taken on August 31, 2023.

12 5. Attached hereto as **Exhibit 3** is a true and correct excerpt of the deposition  
13 of Matthew Hagemann, taken on October 2, 2023.

14 6. Attached hereto as **Exhibit 4** is a true and correct excerpt of the deposition  
15 of Paul Habibi, taken on March 19, 2024.

16 7. Attached hereto as **Exhibit 5** is a true and correct excerpt of the deposition  
17 of Jon P. Preciado, taken on November 6, 2023.

18 8. Attached hereto as **Exhibit 6** is a true and correct copy of Exhibit 648 to the  
19 deposition of David Pintar, taken on September 13, 2023.

20 9. Attached hereto as **Exhibit 7** is a true and correct copy of the Master Labor  
21 Agreements between The Icon at Panorama, LLC, laborers, and carpenters<sup>1</sup> and a roster  
22 of contractors that are signatories with the Laborers' Union in the Los Angeles Area<sup>2</sup>. I  
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24 <sup>1</sup> Current versions publicly available at: <https://www.scdcl.org/masteragreement>,  
25 *last visited* April 30, 2024; <https://sccaweb.org/labor-relations/labor-agreements/>, *last*  
26 *visited* April 30, 2024;  
27 [https://www.dol.gov/sites/dolgov/files/olms/regs/compliance/cba/pdf/2016/private\\_/9477](https://www.dol.gov/sites/dolgov/files/olms/regs/compliance/cba/pdf/2016/private_/9477.pdf)  
28 [.pdf](https://www.dol.gov/sites/dolgov/files/olms/regs/compliance/cba/pdf/2016/private_/9477.pdf), *last visited* April 30, 2024.

<sup>2</sup> Available at: <https://www.lecetsouthwest.org/contractors/contractor-directory/>,  
*last visited* April 30, 2024, with search filter applied for "Los Angeles Area."

1 caused these documents to be obtained from publicly available sources online at the  
2 website addresses provided in footnotes 1 and 2.

3 10. Attached hereto as **Exhibit 8** is a true and correct excerpt of the deposition  
4 of David Pintar, taken on September 13, 2023.

5 11. Attached hereto as **Exhibit 9** is a true and correct excerpt of the deposition  
6 of Eran Fields, taken on September 22, 2023.

7 12. Attached hereto as **Exhibit 10** is a true and correct excerpt of the deposition  
8 of William Ruvelson, taken on September 19, 2023.

9 13. Attached hereto as **Exhibit 11** is a true and correct copy of an email between  
10 Eran Fields and William Ruvelson, dated August 7, 2018, produced in this case and  
11 Bates-stamped ICON0063007.

12 14. Attached hereto as **Exhibit 12** is a true and correct copy of an email between  
13 Ernesto Pantoja and Eran Fields, dated May 26, 2018, produced in this case and Bates-  
14 stamped ICON0038686.

15 15. Attached hereto as **Exhibit 13** is a true and correct excerpt of the deposition  
16 of Ernesto Pantoja, taken on September 27, 2023.

17 16. Attached hereto as **Exhibit 14** is a true and correct copy of emails between  
18 counsel for the parties to this litigation.

19 17. Attached hereto as **Exhibit 15** is a true and correct copy of Exhibit 502 to  
20 the deposition of Geoffrey Palmer, taken on February 27, 2023.

21 I declare under penalty of perjury of the laws of the United States that the  
22 foregoing is true and correct.

23 Executed on April 30, 2024, in Glendale, CA.

24  
25 /s/ Sean P. Gates  
26 Sean P. Gates  
27  
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